

IN THE UNITED STATES DISTRICT COURT FOR THE  
SOUTHERN DISTRICT OF NEW YORK

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AMERICAN HOME MORTGAGE CORP.,

Plaintiff,

v.

OMEGA FINANCIAL SERVICES, INC.,

Defendant.

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Civil Action No. 07 CV 7044 (DAB)

(Document Filed Electronically)

**NOTICE OF DEFENDANT'S  
MOTION TO DISMISS  
PURSUANT TO FED. R. CIV.P.  
12(b)(3) AND 28 U.S.C. 1404**

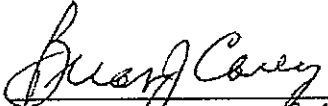
PLEASE TAKE NOTICE that upon the Summons and Complaint filed July 18, 2007, and the documents referenced therein; the Declaration of Michael J. Needleman, Esquire and the exhibits annexed thereto; and Defendant's Memorandum of Law in support of its Motion to Dismiss, dated August 14, 2007, Defendant will move this Court before the Honorable Deborah A. Batts, U.S.D.J., at the United States District Courthouse, 500 Pearl Street, New York, New York, at a time to be assigned by the Court, for an Order pursuant to Federal Rule of Civil Procedure 12(b)(3) dismissing the Complaint with prejudice or, in the alternative, transferring this case to the United States District Court for the District of New Jersey, and granting such other and further relief as this Court deems just and proper.

PLEASE TAKE FURTHER NOTICE that answering papers, if any, and reply papers must be served on the undersigned in accordance with the applicable Local Rules.

PLEASE TAKE FURTHER NOTICE that Defendant relies upon and submits contemporaneously herewith a proposed form of Order granting the Motion.

Dated: August 14, 2007

By:

  
BRIAN CAREY (BC 8641)  
WILLIAM N. AUMENTA (WA0141)  
**MCELROY, DEUTSCH, MULVANEY  
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-and-

MICHAEL J. NEEDLEMAN  
**CHARTWELL LAW OFFICES, LLP**  
The Bell Atlantic Tower  
1717 Arch Street, Suite 2920  
Philadelphia, PA 19103  
*(Pro hac vice application pending)*

Attorneys for Defendant

TO: Clifford Solomon, Esq.  
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Attorneys for Plaintiff